

2014-1369

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

HEAR-WEAR TECHNOLOGIES, LLC,

Appellant,

v.

K/S HIMPP,

Appellee.

**Appeal from the United States Patent and Trademark Office, Patent
Trial and Appeal Board in Reexamination No. 95/001,021.**

**APPELLEE K/S HIMPP'S UNOPPOSED MOTION TO EXTEND TIME TO
FILE PRINCIPAL BRIEF**

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June 25, 2014

Counsel for Appellee K/S HIMPP

Appellee K/S HIMPP moves pursuant to Rule 26 of the Federal Rules of Appellate Procedure and Local Rule 26 for an extension of time to file its Principal Brief.

HIMPP moves this Court for an extension of **14 days** to file its Principal Brief. The new deadline would be **July 17, 2014**. Good cause exists for extending the time to file its Principal Brief because HIMPP's counsel has multiple previously set and competing professional obligations on or around the first week of July, which will make it difficult to timely complete and file its Principal Brief.

Pursuant to Fed. Cir. R. 26(b)(4), HIMPP further states the following:

- A. The date to be extended, the present date for filing its Principal Brief, is **July 3, 2014**;
- B. The revised date sought is **July 17, 2014**;
- C. The number of days of extension sought is 14 days; and
- D. No days of extension have previously been granted to Appellee for filing its Principal Brief.

The USPTO has not entered an appearance and is not currently a party to this case. The undersigned has confirmed with counsel for Appellant Hear-Wear Technologies LLC that Appellant does not oppose this motion. No party will object and no party will file a response.

Respectfully submitted,

/s/ Jon E. Wright/

Robert Greene Sterne

Jon E. Wright

Jason D. Eisenberg

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FORM 9. Certificate of Interest

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

HEAR-WEAR TECHNOLOGIES v. K/S HIMPPNo. 14-1369

CERTIFICATE OF INTEREST

Counsel for the (petitioner) (appellant) (respondent) (appellee) (amicus) (name of party)

Robert Greene Sterne certifies the following (use "None" if applicable; use extra sheets if necessary):

1. The full name of every party or amicus represented by me is:

K/S HIMPP

2. The name of the real party in interest (if the party named in the caption is not the real party in interest) represented by me is:

K/S HIMPP

3. All parent corporations and any publicly held companies that own 10 percent or more of the stock of the party or amicus curiae represented by me are:

K/S HIMPP, also known as the Hearing Instrument Manufacturers Patent Partnership, is a partnership formed in 1996 whose members include the largest hearing aid manufacturers in the world. The K/S HIMPP partnership is controlled by a board of directors comprising representatives from each member hearing aid company. The board member companies are: Widex A/S, William Demant Holdings A/S, GN ReSound A/S, Sonova Holding A/G, Siemens Audiologische Technik GmbH, Starkey Laboratories, Rion Co. Ltd., Sound Design Technologies Ltd., and IntriCon Corp.

4. ☒ The names of all law firms and the partners or associates that appeared for the party or amicus now represented by me in the trial court or agency or are expected to appear in this court are:

Sterne, Kessler, Goldstein & Fox P.L.L.C.: Robert Greene Sterne, Jason D. Eisenberg, Jon E. Wright
Sughrue Mion: David Cushing

04/01/2014

Date

/s/ Robert Greene Sterne

Signature of counsel

Robert Greene Sterne

Printed name of counsel

Please Note: All questions must be answered

cc: Michelle Lee and R. Ross Vigué

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of June, 2014, a copy of the foregoing **APPELLEE K/S HIMPP'S UNOPPOSED MOTION FOR AN EXTENSION OF TIME TO FILE PRINCIPAL BRIEF** was served by electronic mail and the CM/ECF system, addressed to:

<p>Jonathan S. Franklin Norton Rose Fulbright 801 Pennsylvania Avenue, N.W. Washington D.C. 20004-2623 Tel.: 202.662.0466 Fax: 202.662.4643 Jonathan.franklin@nortonrosefulbright.com</p> <p><i>Attorney for Appellant, Hear-Wear Technologies, LLC</i></p>	<p>Sheila Kadura, Ph.D. Fulbright & Jaworski LLP 98 San Jacinto Boulevard, Suite 1100, Austin, Texas 78701-4255 Tel: 512.536.3027 Fax: 512 536 4598 sheila.kadura@nortonrosefulbright.com</p> <p>R. Ross Viguet Fulbright & Jaworski LLP 2200 Ross Avenue Suite 2800 Dallas, TX 75201 Tel: 214-855-8185 Fax: 214-855-8200 ross.viguet@nortonrosefulbright.com</p> <p><i>Attorneys for Appellant, Hear-Wear Technologies, LLC</i></p>
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/s/ Jon E. Wright/
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